

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

3:20-cv-697-MOC

RICKY W. CAMPBELL,)
)
 Plaintiff, pro se,)
)
 vs.)
)
 CHAD F. WOLF,)
 Acting Secretary, Department of)
 Homeland Security,)
 Defendant.)
 _____)

ORDER

THIS MATTER is before the Court on its own motion following Plaintiff's response to the Court, indicating that he would like to conduct discovery before the Court rules on Defendant's pending summary judgment motion.

As noted by the Court in a prior Order, Defendant filed the summary judgment motion before the parties conducted any discovery in this action. (Doc. No. 28). The Court, therefore, granted Plaintiff the right to inform the Court whether he wishes to conduct discovery in this matter. He has responded that he does want to conduct discovery. (Doc. No. 29).

The Court previously sent Plaintiff a form to fill out to let the Court know whether he wishes to participate in the Court's Pro Se Settlement Assistance Program ("PSAP"). As the PSAP form explains, under this program, a volunteer attorney can help Plaintiff participate in settlement negotiations. Plaintiff has not returned the form.

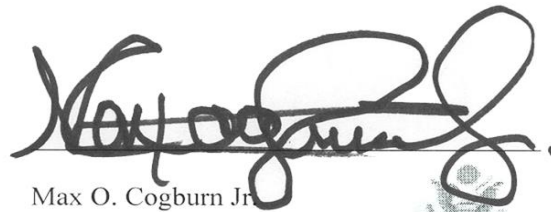
IT IS, THEREFORE, ORDERED that:

1. The Clerk is respectfully instructed to mail Plaintiff another PSAP form. Plaintiff shall fill out the form and return it to the Court within 20 days. Once Plaintiff returns the form, the Court will proceed with further instructions for the parties to

begin discovery in this matter, including conducting an Initial Attorney's Conference under Local Rule 16.1.

2. To the extent that the Court will allow Plaintiff to conduct discovery, Defendants' pending Motion for Summary Judgment, (Doc. No. 19), is **DENIED** without prejudice to Defendant to refile the motion once the parties have conducted discovery.

Signed: October 22, 2021



Max O. Cogburn Jr.
United States District Judge